

AN ACT

To amend and reenact Title 22 of the Louisiana Revised Statutes of 1950; to direct the Louisiana State Law Institute to redesignate the current provisions of Title 22 of the Louisiana Revised Statutes of 1950 into a new format and number scheme without changing the substance of the provisions, to be comprised of R.S. 22:1 through 2371, and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. To amend and reenact Title 22 of the Louisiana Revised Statutes of 1950; to direct the Louisiana State Law Institute to redesignate the current provisions of Title 22 of the Louisiana Revised Statutes of 1950 into a new format and number scheme without changing the substance of the provisions, to be comprised of R.S. 22:1 through 2371 as follows:

TITLE 22

CHAPTER 1. General Provisions

PART I. Title, Definitions, Classifications and Other Regulatory Matters

§1. Louisiana Insurance Code

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Subpart A. Office of the Insurance Commissioner;
General Duties and Responsibilities

§2. Insurance regulated in the public interest

A. through I. [Current R.S. 22:2]

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Subsection J. [Subsection J redesignated from R.S. 22:8(B)]

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Subsection K. [Subsection K redesignated from R.S. 22:8(C)]

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~~§8. §3. Assessments on insurers; disposition of fees~~ **Composition of Department of Insurance**

[Section redesignated from R.S. 22:8(A)]

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Subpart B. Compliance with Code Required;
Rules and Regulations by Commissioner;
Qualification Required

~~§3.~~ **§11.** Compliance with Code required; rules and regulations by commissioner

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~~§4.~~ **§12.** Insurer: qualification required

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~~§7.~~ **§13.** Penalty for violations

* * *

~~§13.~~ **§14.** Violations reported by employees; retaliation by insurer prohibited

* * *

~~§1446.~~ **§15.** Rules and Regulations

* * *

~~§1447.~~ **§16.** Failure to comply with written orders or directives; penalties

* * *

~~§1456.~~ **§17.** Particular provisions prevail

* * *

~~§1457.~~ **§18.** Suspension or revocations of insurers' license; fines

* * *

~~§1458.~~ **§19.** Duration of licenses

* * *

~~§1459.~~ **§20.** Producer's compensation

* * *

~~§1452.~~ **§21.** Agreement on agents' compensation prohibited

* * *

~~§1454.~~ **§22.** Insurers prohibited from engaging in other businesses

* * *

~~§1474.~~ **§23.** Exclusive use of expirations

* * *

~~§1475.~~ **§24.** Life and health sales quotas; prohibitions

* * *

Subpart C. Equal Opportunity in Insurance

~~§1921.~~ **§31.** Division of minority affairs

* * *

~~§1922.~~ **§32.** Advisory Committee on Equal Opportunity

* * *

~~§1923.~~ **§33.** Sanctions

* * *

~~§652.~~ **§34.** Discrimination prohibited

* * *

~~§652.4.~~ **§35.** Discrimination; failure to provide coverage; penalties; right of action

* * *

Subpart D. Insurance in General

~~§1455.~~ **§41.** Policyholder bill of rights

* * *

~~§2.1.~~ **§42.** Public records; forms and methods; electronic signatures and filings; timely filing of papers

* * *

~~§1467.~~ **§43.** Complaints against insurers; file by company; public information

* * *

~~§1462.1.~~ **§44.** False or fraudulent material information

* * *

~~§1468.~~ **§45.** Attorney general; writ of mandamus

* * *

~~§5.~~ **§46.** General definitions

* * *

~~§6.~~ **§47.** Kinds of Insurance

1		*	*	*
2	<u>§48. RESERVED</u>			
3		*	*	*
4	§1531: <u>§49.</u> "Officer" defined			
5		*	*	*
6	<u>CHAPTER 2. Requirements for Insurers and Other Risk Bearing Entities</u>			
7	<u>PART I. Kinds of Insurers</u>			
8	<u>SUBPART A. Domestic Insurers-Generally</u>			
9	§31: <u>§61.</u> Incorporators			
10		*	*	*
11	§32: <u>§62.</u> Articles of incorporation			
12		*	*	*
13	§33: <u>§63.</u> Approval of articles			
14		*	*	*
15	§34: <u>§64.</u> Recordation			
16		*	*	*
17	§35: <u>§65.</u> Application for certificate of authority			
18		*	*	*
19	§37: <u>§66.</u> Initial examination: issuance of certificate of authority			
20		*	*	*
21	§38: <u>§67.</u> Amendment to articles of incorporation			
22		*	*	*
23	§39: <u>§68.</u> Books and records of domestic insurer; securities			
24		*	*	*
25	§40: <u>§69.</u> Business Corporation Law governs when Insurance Code silent			
26		*	*	*
27	§1461: <u>§70.</u> Prior approval required before a domestic insurer may apply for admission to			
28	another state or country			
29		*	*	*
30	§801: <u>§71.</u> Conversion requirements			
31		*	*	*
32	§806: <u>§72.</u> Stock and mutual conversions			
33		*	*	*
34	§741: <u>§73.</u> Order of dissolution			
35		*	*	*
36	<u>Subpart B. Domestic Stock Insurers</u>			
37	§71: <u>§81.</u> Capital requirements; applicants prior to September 1, 1989			
38		*	*	*
39	§71.1: <u>§82.</u> Capital requirements; applicants on and after September 1, 1989			
40		*	*	*
41	§71.2: <u>§83.</u> Additional capital and surplus			
42		*	*	*
43	§72: <u>§84.</u> Payment for capital stock			
44		*	*	*
45	§73: <u>§85.</u> Increase in capital stock			
46		*	*	*
47	§74: <u>§86.</u> Dividends on stock			
48		*	*	*
49	§75: <u>§87.</u> Stock dividends			
50		*	*	*
51	§76: <u>§88.</u> Sales of stock			
52		*	*	*
53	§77: <u>§89.</u> Impairment of stock to be made good			
54		*	*	*
55	§78: <u>§90.</u> Impairment removed by reduction of stock			
56		*	*	*
57	§79: <u>§91.</u> Stockholders meetings			
58		*	*	*

1		*	*	*
2	~~§255.~~ <u>§145.</u> Deposit			
3		*	*	*
4	~~§256.~~ <u>§146.</u> Nonforfeiture benefits			
5		*	*	*
6	~~§257.~~ <u>§147.</u> Policies under standard non-forfeiture law excepted			
7		*	*	*
8	~~§258.~~ <u>§148.</u> Powers of existing industrial insurers			
9		*	*	*
10	~~§259.~~ <u>§149.</u> Required policy provisions			
11		*	*	*
12	~~§260.~~ <u>§150.</u> Exceptions			
13		*	*	*
14	<u>Subpart F. Reciprocal Insurers</u>			
15	~~§431.~~ <u>§161.</u> Scope of Part <u>Subpart</u>			
16		*	*	*
17	~~§432.~~ <u>§162.</u> Subscribers			
18		*	*	*
19	~~§433.~~ <u>§163.</u> Name; suits			
20		*	*	*
21	~~§434.~~ <u>§164.</u> Insuring powers			
22		*	*	*
23	~~§435.~~ <u>§165.</u> Minimum application and surplus requirements			
24		*	*	*
25	~~§437.~~ <u>§166.</u> Power of attorney			
26		*	*	*
27	~~§438.~~ <u>§167.</u> Declaration of organization			
28		*	*	*
29	~~§439.~~ <u>§168.</u> Documents to be filed			
30		*	*	*
31	~~§440.~~ <u>§169.</u> Organization bonds			
32		*	*	*
33	~~§441.~~ <u>§170.</u> Authority to solicit applications			
34		*	*	*
35	~~§442.~~ <u>§171.</u> Deposit			
36		*	*	*
37	~~§443.~~ <u>§172.</u> Certificate of authority			
38		*	*	*
39	~~§444.~~ <u>§173.</u> Policies effective			
40		*	*	*
41	~~§445.~~ <u>§174.</u> Subscribers' liability			
42		*	*	*
43	~~§446.~~ <u>§175.</u> Non-assessable contracts			
44		*	*	*
45	~~§447.~~ <u>§176.</u> Contributed surplus			
46		*	*	*
47	~~§448.~~ <u>§177.</u> Process			
48		*	*	*
49	~~§449.~~ <u>§178.</u> Share in savings			
50		*	*	*
51	~~§450.~~ <u>§179.</u> Subscribers' account			
52		*	*	*
53	~~§451.~~ <u>§180.</u> Annual statements			
54		*	*	*
55	~~§452.~~ <u>§181.</u> Reserves			
56		*	*	*
57	~~§453.~~ <u>§182.</u> Amendment of declaration of organization			
58		*	*	*

1 ~~§454.~~ **§183.** Application for receiver, etc.

2 * * *

3 ~~§455.~~ **§184.** Penalties

4 * * *

5 ~~§456.~~ **§185.** Application of other sections

6 * * *

7 **Subpart G. Non-Profit Funeral Service Associations**

8 ~~§331.~~ **§191.** Definitions

9 * * *

10 ~~§332.~~ **§192.** Incorporation and qualification of incorporators

11 * * *

12 ~~§333.~~ **§193.** Articles of incorporation

13 * * *

14 ~~§334.~~ **§194.** The corporate name

15 * * *

16 ~~§335.~~ **§195.** Filing and recording articles; application for certificate of authority; issuing
17 certificates of incorporation and authority

18 * * *

19 ~~§336.~~ **§196.** Application for policies

20 * * *

21 ~~§337.~~ **§197.** Policies

22 * * *

23 ~~§338.~~ **§198.** By-laws

24 * * *

25 ~~§339.~~ **§199.** Amendment of articles and by-laws

26 * * *

27 ~~§340.~~ **§200.** Directors

28 * * *

29 ~~§341.~~ **§201.** Officers and agents

30 * * *

31 ~~§342.~~ **§202.** Policyholders' meetings

32 * * *

33 ~~§343.~~ **§203.** Funds

34 * * *

35 ~~§344.~~ **§204.** Service

36 * * *

37 ~~§345.~~ **§205.** Uniform classes of policyholders and stipulated benefits; assessments

38 * * *

39 ~~§346.~~ **§206.** Expenses

40 * * *

41 ~~§347.~~ **§207.** Indebtedness

42 * * *

43 ~~§348.~~ **§208.** Books and records

44 * * *

45 ~~§349.~~ **§209.** Examinations

46 * * *

47 ~~§350.~~ **§210.** Reports and financial statements

48 * * *

49 ~~§351.~~ **§211.** Expiration of certificate of authority; renewal

50 * * *

51 ~~§352.~~ **§212.** Merger and consolidation

52 * * *

53 ~~§353.~~ **§213.** Liquidation

54 * * *

55 ~~§354.~~ **§214.** Fees payable

56 * * *

57 ~~§355.~~ **§215.** Exemption from taxation

58 * * *

1		*	*	*
2	§2021. <u>§266.</u> Medical necessity review			
3		*	*	*
4	§2022. <u>§267.</u> Enrollee grievance procedure			
5		*	*	*
6	§2023. <u>§268.</u> Reports to the governor			
7		*	*	*
8	§2024. <u>§269.</u> Fees			
9		*	*	*
10	§2025. <u>§270.</u> Taxes and tax base			
11		*	*	*
12	§2026. <u>§271.</u> Enrollment application; required statement; annual notification and disclosure			
13	of information			
14		*	*	*
15	§2027. <u>§272.</u> Notice required for certain prepaid charge rate increases, cancellation, or			
16	nonrenewal of service agreements; other requirements			
17		*	*	*
18	<u>Subpart J. Fraternal Benefit Societies</u>			
19	§541. <u>§281.</u> Fraternal benefit societies			
20		*	*	*
21	§542. <u>§282.</u> Lodge system defined			
22		*	*	*
23	§543. <u>§283.</u> Representative form of government defined			
24		*	*	*
25	§544. <u>§284.</u> General definitions			
26		*	*	*
27	§545. <u>§285.</u> Purposes and Powers			
28		*	*	*
29	§546. <u>§286.</u> Qualifications for membership			
30		*	*	*
31	§547. <u>§287.</u> Location of office, meetings, communications to members, grievance			
32	procedures			
33		*	*	*
34	§548. <u>§288.</u> No personal liability			
35		*	*	*
36	§549. <u>§289.</u> Waiver			
37		*	*	*
38	§550. <u>§290.</u> Organization			
39		*	*	*
40	§551. <u>§291.</u> Amendments to laws			
41		*	*	*
42	§552. <u>§292.</u> Institutions			
43		*	*	*
44	§553. <u>§293.</u> Reinsurance			
45		*	*	*
46	§554. <u>§294.</u> Consolidations and mergers			
47		*	*	*
48	§555. <u>§295.</u> Conversion of fraternal benefit society into mutual life insurance company			
49		*	*	*
50	§556. <u>§296.</u> Benefits			
51		*	*	*
52	§557. <u>§297.</u> Beneficiaries			
53		*	*	*
54	§558. <u>§298.</u> Benefits not attachable			
55		*	*	*
56	§559. <u>§299.</u> The benefit contract			
57		*	*	*
58	§560. <u>§300.</u> Nonforfeiture benefits, cash surrender values, certificate loans, and other options			

1		*	*	*
2	§561. <u>§301.</u> Investments			
3		*	*	*
4	§562. <u>§302.</u> Funds			
5		*	*	*
6	§563. <u>§303.</u> Exemptions			
7		*	*	*
8	§564. <u>§304.</u> Taxation			
9		*	*	*
10	§565. <u>§305.</u> Valuation			
11		*	*	*
12	§566. <u>§306.</u> Reports			
13		*	*	*
14	§567. <u>§307.</u> Annual license			
15		*	*	*
16	§568. <u>§308.</u> Examination of societies; no adverse publications			
17		*	*	*
18	§569. <u>§309.</u> Foreign or alien society; admission			
19		*	*	*
20	§570. <u>§310.</u> Injunction; liquidation; receivership of domestic society			
21		*	*	*
22	§571. <u>§311.</u> Suspension, revocation or refusal of license of foreign or alien society			
23		*	*	*
24	§572. <u>§312.</u> Injunction			
25		*	*	*
26	§574. <u>§313.</u> Unfair methods of competition; unfair and deceptive acts and practices			
27		*	*	*
28	§575. <u>§314.</u> Service of process			
29		*	*	*
30	§576. <u>§315.</u> Review			
31		*	*	*
32	§577. <u>§316.</u> Penalties			
33		*	*	*
34	§578. <u>§317.</u> Exemption of certain societies			
35		*	*	*
36	<u>Subpart K. Foreign and Alien Insurers</u>			
37	§981. <u>§331.</u> Foreign or alien insurers may be admitted			
38		*	*	*
39	§982. <u>§332.</u> Application for certificate of authority			
40		*	*	*
41	§983. <u>§333.</u> Conditions of issuance of certificate of authority			
42		*	*	*
43	§984. <u>§334.</u> Trust deposit resolution			
44		*	*	*
45	§985. <u>§335.</u> Service of process; secretary of state as attorney			
46		*	*	*
47	§986. <u>§336.</u> Issuance of certificate of authority			
48		*	*	*
49	§987. <u>§337.</u> Refusal, suspension, and revocation of certificate of authority			
50		*	*	*
51	§988. <u>§338.</u> Amendment to certificate of authority			
52		*	*	*
53	§989. <u>§339.</u> Filing amendment to articles of incorporation			
54		*	*	*
55	§990. <u>§340.</u> Procedure following merger or consolidation			
56		*	*	*
57	§991. <u>§341.</u> Withdrawal from state; deposit			
58		*	*	*

1 ~~§1580.~~ **§342.** Definitions

2 * * *

3 ~~§1581.~~ **§343.** Annual report of premiums received; verified statements by municipality,
4 district, or volunteer fire department

5 * * *

6 ~~§1582.~~ **§344.** Accounts to be kept

7 * * *

8 ~~§1583.~~ **§345.** Tax on premiums

9 * * *

10 ~~§1584.~~ **§346.** Investigation and collection by commissioner of insurance

11 * * *

12 ~~§1585.~~ **§347.** Disposition of tax money

13 * * *

14 ~~§1586.~~ **§348.** Penalties

15 * * *

16 ~~§1587.~~ **§349.** Fire insurance associations not incorporated under laws of Louisiana

17 * * *

18 **Subpart L. Vehicle Mechanical Breakdown Insurers**

19 ~~§1800.~~ **§361.** Definitions

20 * * *

21 ~~§1801.~~ **§362.** License required of vehicle mechanical breakdown insurer

22 * * *

23 ~~§1802.~~ **§363.** Exceptions

24 * * *

25 ~~§1803.~~ **§364.** Qualifications

26 * * *

27 ~~§1804.~~ **§365.** Deposit or surety; required

28 * * *

29 ~~§1805.~~ **§366.** Annual reports

30 * * *

31 ~~§1806.~~ **§367.** Reserves

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33 ~~§1807.~~ **§368.** Contracts not in compliance

34 * * *

35 ~~§1808.~~ **§369.** Revocation or suspension of license

36 * * *

37 ~~§1809.~~ **§370.** Inspection

38 * * *

39 ~~§1810.~~ **§371.** Cease and desist order; penalty for violation

40 * * *

41 ~~§1811.~~ **§372.** Rules and regulations

42 * * *

43 ~~§1812.~~ **§373.** Scope and limitations

44 * * *

45 **Subpart M. Property Residual Value Insurers**

46 ~~§1900.~~ **§381.** Definitions

47 * * *

48 ~~§1901.~~ **§382.** License required of property residual value insurer

49 * * *

50 ~~§1902.~~ **§383.** Exceptions

51 * * *

52 ~~§1903.~~ **§384.** Qualifications

53 * * *

54 ~~§1904.~~ **§385.** Deposit or surety

55 * * *

56 ~~§1905.~~ **§386.** Annual reports

57 * * *

58 ~~§1906.~~ **§387.** Reserves

1		*	*	*
2	~~§1907.~~ <u>§388.</u> Contracts not in compliance			
3		*	*	*
4	~~§1908.~~ <u>§389.</u> Revocation or suspension of license			
5		*	*	*
6	~~§1909.~~ <u>§390.</u> Inspection			
7		*	*	*
8	~~§1910.~~ <u>§391.</u> Cease and desist order; penalty for violation			
9		*	*	*
10	~~§1911.~~ <u>§392.</u> Rules and regulations			
11		*	*	*
12	~~§1912.~~ <u>§393.</u> Scope and limitations			
13		*	*	*
14	<u>Subpart N. Non-Profit Beneficiary Organizations and Risk Indemnification Trusts</u>			
15	~~§2041.~~ <u>§401.</u> Title; purpose			
16		*	*	*
17	~~§2042.~~ <u>§402.</u> Establishment upon approval of commissioner			
18		*	*	*
19	~~§2043.~~ <u>§403.</u> Eligibility			
20		*	*	*
21	~~§2044.~~ <u>§404.</u> Limitation			
22		*	*	*
23	~~§2045.~~ <u>§405.</u> Bylaws and plan of operation benefits			
24		*	*	*
25	~~§2046.~~ <u>§406.</u> Written indemnification agreement			
26		*	*	*
27	~~§2047.~~ <u>§407.</u> Contributions to fund operations			
28		*	*	*
29	~~§2048.~~ <u>§408.</u> Pooling prohibited			
30		*	*	*
31	~~§2049.~~ <u>§409.</u> Board of trustees; terms; removal; meetings; salary			
32		*	*	*
33	~~§2050.~~ <u>§410.</u> Trustees bylaws and plan of operation			
34		*	*	*
35	~~§2051.~~ <u>§411.</u> Annual reported financial statement			
36		*	*	*
37	~~§2052.~~ <u>§412.</u> Assets			
38		*	*	*
39	~~§2053.~~ <u>§413.</u> Contracts with risk managements service providers			
40		*	*	*
41	~~§2054.~~ <u>§414.</u> Coinsurance and reinsurance			
42		*	*	*
43	~~§2055.~~ <u>§415.</u> Cause of action restricted			
44		*	*	*
45	~~§2056.~~ <u>§416.</u> Commissioner's authority to examine			
46		*	*	*
47	~~§2057.~~ <u>§417.</u> Deposit			
48		*	*	*
49	~~§2058.~~ <u>§418.</u> Administrative rules			
50		*	*	*
51	~~§2059.~~ <u>§419.</u> Trust funds not insurance			
52		*	*	*
53	<u>Subpart O. Surplus Lines</u>			
54	~~§1248.~~ <u>§431.</u> Purpose; necessity for regulation			
55		*	*	*
56	~~§1257.~~ <u>§432.</u> Surplus line insurance from unauthorized insurers			
57		*	*	*
58	~~§1258.~~ <u>§433.</u> Endorsement of contract			

1		*	*	*
2	~~§1259.~~ <u>§434.</u> Surplus line insurance valid			
3		*	*	*
4	~~§1262.~~ <u>§435.</u> Surplus lines in solvent insurers; capital and surplus requirements; deposits			
5	and bond requirements			
6		*	*	*
7	~~§1262.1.~~ <u>§436.</u> Approved unauthorized insurers; list; requirements; removal			
8		*	*	*
9	~~§1263.~~ <u>§437.</u> Records of surplus line broker			
10		*	*	*
11	~~§1263.1.~~ <u>§438.</u> Proof of uninsurability; affidavit			
12		*	*	*
13	~~§1265.~~ <u>§439.</u> Tax on surplus lines			
14		*	*	*
15	~~§1266.~~ <u>§440.</u> Penalty for failure to file statement or remit tax			
16		*	*	*
17	~~§1267.~~ <u>§441.</u> Suspension or revocation of licenses; surplus lines broker; fines			
18		*	*	*
19	~~§1268.~~ <u>§442.</u> Legal process against surplus line insurer			
20		*	*	*
21	~~§1269.~~ <u>§443.</u> Exemptions			
22		*	*	*
23	~~§1270.~~ <u>§444.</u> Records of insureds			
24		*	*	*
25	~~§1271.~~ <u>§445.</u> Tontine funds; sales prohibited			
26		*	*	*
27	<u>Subpart P. Group Self Insurers</u>			
28	~~§3001.~~ <u>§451.</u> Scope of provisions			
29		*	*	*
30	~~§3002.~~ <u>§452.</u> Definitions			
31		*	*	*
32	~~§3003.~~ <u>§453.</u> Certificate of authority			
33		*	*	*
34	~~§3004.~~ <u>§454.</u> Insolvency deposit			
35		*	*	*
36	~~§3005.~~ <u>§455.</u> Administrators; license			
37		*	*	*
38	~~§3006.~~ <u>§456.</u> Agents; appointment			
39		*	*	*
40	~~§3007.~~ <u>§457.</u> Agents; acting for unauthorized self-insurer prohibited			
41		*	*	*
42	~~§3008.~~ <u>§458.</u> Self-insured trusts			
43		*	*	*
44	~~§3009.~~ <u>§459.</u> Excess stop-loss coverage			
45		*	*	*
46	~~§3010.~~ <u>§460.</u> Disclosures			
47		*	*	*
48	~~§3011.~~ <u>§461.</u> Annual examination; rate review			
49		*	*	*
50	~~§3012.~~ <u>§462.</u> Examination by commissioner			
51		*	*	*
52	~~§3013.~~ <u>§463.</u> Annual reports			
53		*	*	*
54	~~§3014.~~ <u>§464.</u> Dissolution			
55		*	*	*
56	~~§3015.~~ <u>§465.</u> Insolvency of plan			
57		*	*	*
58	~~§3016.~~ <u>§466.</u> Transaction of business; required filings			

1		*	*	*
2	§3017: ~~§467.~~ Duties of commissioner; rules and regulations			
3		*	*	*
4	§3018: ~~§468.~~ Covered claim; prohibition of cancellation			
5		*	*	*
6	§3018.1: ~~§469.~~ Inherited metabolic diseases; coverage for food products			
7		*	*	*
8	<u>Subpart Q. Risk Retention Groups</u>			
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45	countries			
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37	ratemaking			
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25 ~~§1002.~~ **§692.** Definitions

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33 ~~§1004.2.~~ **§696.** Incorporation of a mutual insurance holding company

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44		*	*
45	~~§650:~~ <u>§878.</u> Forms for proof of loss furnished		
46		*	*
47	~~§651:~~ <u>§879.</u> Claim administration not waiver		
48		*	*
49	~~§653:~~ <u>§880.</u> Validity of noncomplying forms		
50		*	*
51	~~§654:~~ <u>§881.</u> Construction of policies		
52		*	*
53	~~§666:~~ <u>§882.</u> Waiver of subrogation		
54		*	*
55	~~§675:~~ <u>§883.</u> Stop-loss insurance coverage		
56		*	*
57	~~§172:~~ <u>§884.</u> Incontestability after reinstatement		
58		*	*

1 ~~§637.~~ **§885.** Cancellation by the insured; surrender

2 * * *

3 ~~§638.~~ **§886.** Cancellation by the commissioner of insurance

4 * * *

5 ~~§636.~~ **§887.** Cancellation by insurer

6 * * *

7 ~~§636.3.~~ **§888.** Cancellation by insurer; failure to maintain membership in required
8 organization

9 * * *

10 ~~§636.5.~~ **§889.** Prohibited cancellation for nonpayment of premium

11 * * *

12 **PART II. Life Insurance and Annuities**

13 **Subpart A. Life Insurance and Annuities in General**

14 ~~§613.~~ **§901.** Insurable interest required; personal insurance; intentional acts exclusion

15 * * *

16 ~~§614.1.~~ **§902.** Statutory life insurance beneficiaries

17 * * *

18 ~~§180.~~ **§903.** Agent of life insurer not to be made agent of insured

19 * * *

20 ~~§171.~~ **§904.** Ante-dating of life insurance policies prohibited

21 * * *

22 ~~§177.~~ **§905.** Written notice required before lapsing life policies

23 * * *

24 ~~§178.~~ **§906.** Mortality endowments prohibited

25 * * *

26 ~~§179.~~ **§907.** Benefits required by domiciliary state--Louisiana residents entitled to

27 * * *

28 ~~§182.~~ **§908.** Interest on life insurance benefits

29 * * *

30 ~~§644.~~ **§909.** Life insurance; prepayment of certain benefits

31 * * *

32 ~~§644.1.~~ **§910.** Life insurance and annuities; replacement

33 * * *

34 ~~§645.~~ **§911.** Payments of proceeds; simultaneous deaths

35 * * *

36 ~~§647.~~ **§912.** Exemption of proceeds; life, endowment, annuity

37 * * *

38 ~~§648.~~ **§913.** Policies payable to estate; effect of renunciation

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40 ~~§1500(K).~~ **§914.** ~~Separate accounts and contracts issued in connection therewith~~

41 **Requirements of variable life and variable annuities**

42 [Redesignated from R.S. 22:1500(K)]

43 * * *

44 ~~§1521.~~ **§915.** Donations inter vivos of life insurance policies; laws respecting form
45 inapplicable

46 * * *

47 ~~§181.~~ **§916.** Inapplicability to reinsurance

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49 **Subpart B. Individual Life**

50 ~~§170.~~ **§931.** Life insurance policies; standard provisions

51 * * *

52 ~~§170.1.~~ **§932.** Maximum rate of interest on policy loans

53 * * *

54 ~~§169.~~ **§933.** Automatic premium loans

55 * * *

56 ~~§166.~~ **§934.** Policies to contain non-forfeiture benefits

57 * * *

58 ~~§167.~~ **§935.** Paid-up, extended insurance and cash value

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3		*	*	*
4		<u>Subpart C. Group Life</u>		
5	§175:	~~§941.~~	Group life insurance defined; eligibility; payment of premiums; limits and	
6			coverage	
7		*	*	*
8	§176:	~~§942.~~	Standard provisions for group life policies	
9		*	*	*
10	§176.1:	~~§943.~~	Group life insurance exclusions; restrictions; contestability	
11		*	*	*
12	§649:	~~§944.~~	Exemption of proceeds; group life	
13		*	*	*
14	§652.3:	~~§945.~~	Group life and health and accident policy; dependent coverage	
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16		<u>Subpart D. Individual Annuities</u>		
17	§173:	~~§951.~~	Annuities and pure endowment contracts; standard provisions	
18		*	*	*
19	§173.1:	~~§952.~~	Standard nonforfeiture law for individual deferred annuities	
20		*	*	*
21		<u>Subpart E. Group Annuities</u>		
22	§174:	~~§961.~~	Group annuity contracts; definition; standard provisions	
23		*	*	*
24		<u>PART III. Health and Accident Coverage</u>		
25		<u>Subpart A. Health and Accident Insurance; Standards</u>		
26		<u>and Contract Requirements in General</u>		
27	§10:	~~§971.~~	Patient's Bill of Rights	
28		*	*	*
29	§211:	~~§972.~~	Approval and disapproval of forms; filing of rates	
30		*	*	*
31	§212:	~~§973.~~	Form of policy	
32		*	*	*
33	§622:	~~§974.~~	Standard forms	
34		*	*	*
35	§213:	~~§975.~~	Health and accident policy provisions	
36		*	*	*
37	§213.2:	~~§976.~~	Health and accident policy provisions; service charges; penalties	
38		*	*	*
39	§213.3:	~~§977.~~	Cancellation by insurer and grace period; individual health and accident	
40			policies	
41		*	*	*
42	§215.9:	~~§978.~~	Group, family group, blanket, and association health and accident insurance;	
43			notice required for certain premium increase, cancellation, or	
44			nonrenewal	
45		*	*	*
46	§229.1:	~~§979.~~	Covered claim; prohibition of cancellation	
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48	§213.4:	~~§980.~~	Additional sources; required coverage	
49		*	*	*
50	§214.2:	~~§981.~~	Health insurance rejections, Louisiana Health Insurance High Risk Pool	
51		*	*	*
52	§214.3:	~~§982.~~	Required proof of loss forms	
53		*	*	*
54	§219:	~~§983.~~	Application	
55		*	*	*
56	§250.18:	~~§984.~~	Identification of health benefit plan insurer and sponsor	
57		*	*	*
58	§220:	~~§985.~~	Notice, waiver	

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~~§230.2.~~ <u>§988.</u> Policies, group health and accident; conversion	*	*	*
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~~§230.~~ <u>§990.</u> Disability loss of income policies	*	*	*
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~~§217.~~ <u>§992.</u> Transportation ticket policy defined	*	*	*
~~§218.~~ <u>§993.</u> Construction of policy issued in violation of this Part <u>Subpart</u>	*	*	*
~~§663.~~ <u>§994.</u> Hospitalization, accident and health insurance; reduction of benefits prohibited	*	*	*
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~~§215.3.~~ <u>§1002.</u> Coverage of vocational-technical students	*	*	*
~~§215.4.~~ <u>§1003.</u> Coverage of unmarried students	*	*	*
~~§227.~~ <u>§1004.</u> Insurance pending adoption	*	*	*
~~§230.6.~~ <u>§1005.</u> Continuity of care of health care services	*	*	*
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~~§225.~~ <u>§1010.</u> Discrimination against volunteer firemen prohibited	*	*	*
~~§226.~~ <u>§1011.</u> Employer-provided health plan; limitation to specific pharmacies prohibited; penalty	*	*	*
~~§228.~~ <u>§1012.</u> Cancellation prohibited after claim for terminal, incapacitating, or debilitating condition			

* * *

~~§228.8.~~ **§1013.** Local government contributions toward medical savings accounts, health savings accounts, and similar accounts

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* * *

§646: **§1015.** Exemption of proceeds; health and accident

* * *

Subpart B. State Mandated Health Benefits

§213.1. §1021. Prohibition of discrimination against dental care services

* * *

~~§213.6.~~ **§1022.** Prohibited discrimination; prenatal test results

~~§213.7.~~ **§1023.** Prohibited discrimination; genetic information; disclosure requirements; definitions

* * *

§215.1. §1024. Group, family group, blanket, and association health and accident insurance;
mandatory coverage

* * *

§215.5. **§1025.** Group, blanket, and association health insurance, treatment for alcoholism and drug abuse

* * *

§215.8. **§1026.** Group, family group, blanket, and association health and accident insurance; cleft lip and cleft palate coverage; mandatory coverage

* * *

~~§215.10.~~ **§1027.** Hearing-impaired interpreter expenses

* * *

§251.11. §1028. Early screening and detection requirements; examination; coverage

§215.12. §1029. Requirement for coverage of colorectal cancer screening

~~§215.14.~~ **§1030.** Immunizations; coverage

§215.15. §1031. Attention deficit/hyperactivity disorder; coverage; diagnosis

* * *

~~§215.16.~~ **§1032.** Osteoporosis; bone mass measurement; mandatory coverage

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* * *

~~§215.21.~~ **§1034.** Health insurance coverage for diabetes

§215.22. §1035. Inherited metabolic diseases; coverage for food products

* * *

~~§215.23.~~ **§1036.** Prohibited exclusion of coverage of correctable medical conditions on basis of infertility

* * *

~~§215.24.~~ **§1037.** Health insurance coverage for activities performed by registered nurse first assistant

* * *

~~§215.25.~~ **§1038.** Hearing aid coverage for minor child

~~§223.~~ **§1039.** Surgical services; place of service

§228.7. §1040. Coverage for dental procedures; anesthesia and hospitalization

§ 229-2. § 1041. Discrimination against recovered or rehabilitated alcoholics; prohibited

§230.1. §1042. Coverage for rehabilitative physical therapy, occupational therapy and

1 speech and language pathology therapy; optional coverage
2 * * *

3 ~~§669.~~ **§1043.** Severe mental illness and other mental disorders; policy provisions; minimum
4 requirements; group, blanket, and associations policies
5 * * *

6 ~~§230.4.~~ **§1044.** Health coverage; participants in clinical trials
7 * * *

8 ~~§215.7.~~ **§1045.** Group, blanket, and association health and accident insurance; continuation
9 of coverage
10 * * *

11 ~~§215.13.~~ **§1046.** Group health insurance continuation
12 * * *

13 ~~§230.5.~~ **§1047.** Statutory mandates; actuarial costs analysis; periodic reevaluation;
14 moratorium on additional mandates
15 * * *

16 ~~§230.7.~~ **§1048.** Flexible health benefit policies, contracts, and agreements
17 * * *

18 **Subpart C. Assuring Portability, Availability, Renewability of**
19 **Health Insurance Coverage**

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21 * * *

22 ~~§250.2.~~ **§1062.** Increased portability through limitation on preexisting condition exclusions
23 * * *

24 ~~§250.3.~~ **§1063.** Prohibiting discrimination against individual participants and beneficiaries
25 based on health status
26 * * *

27 ~~§250.14.~~ **§1064.** Certification of coverage
28 * * *

29 ~~§250.4.~~ **§1065.** Standards relating to benefits for mother and newborns
30 * * *

31 ~~§250.5.~~ **§1066.** Parity in the application of certain limits to mental health benefits
32 * * *

33 ~~§250.6.~~ **§1067.** Guaranteed availability of coverage for employers in the group market
34 * * *

35 ~~§250.7.~~ **§1068.** Guaranteed renewability of coverage for employers in the group market
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39 ~~§250.9.~~ **§1070.** Exclusion of certain plans
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41 ~~§250.10.~~ **§1071.** Enforcement provisions
42 * * *

43 ~~§250.11.~~ **§1072.** Individual health insurance coverage portability and limitation on
44 preexisting condition exclusions; newborn coverage; coordination of
45 benefit
46 * * *

47 ~~§250.12.~~ **§1073.** Guaranteed availability of individual health insurance coverage to certain
48 individuals with prior group or individual coverage
49 * * *

50 ~~§250.13.~~ **§1074.** Guaranteed renewability of individual health insurance coverage
51 * * *

52 ~~§250.15.~~ **§1075.** Standards relating to benefits for mothers and newborns
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54 ~~§250.16.~~ **§1076.** General exceptions
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56 ~~§250.17.~~ **§1077.** Required coverage for reconstructive surgery following mastectomies
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58 ~~§250.19.~~ **§1078.** Protections required for victims of the crime of domestic violence

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7	§228.2: <u>§1092.</u> Restrictions relating to premium rates; health insurance			
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9	§228.4: <u>§1093.</u> Disclosure of rating practices and renewability provisions			
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11	§228.5: <u>§1094.</u> Maintenance of records			
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13	§228.6: <u>§1095.</u> Modified community rating; health insurance premiums; compliance with			
14	rules and regulations			
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16	§229: <u>§1096.</u> Health and accident insurers; rate increases			
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18	§652.1: <u>§1097.</u> Discrimination in rates or failure to provide coverage because of severe			
19	disability or sickle cell trait prohibited			
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24	<u>Subpart F. Medical Necessity Review Organizations</u>			
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26		*	*	*
27	§3071: <u>§1122.</u> Definitions			
28		*	*	*
29	§3072: <u>§1123.</u> Authorization or licensure as an MNRO			
30		*	*	*
31	§3073: <u>§1124.</u> Procedure for application to act as an MNRO			
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33	§3074: <u>§1125.</u> Expiration and renewal of license for entities other than health insurance			
34	issuers			
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36	§3075: <u>§1126.</u> Scope and content of medical necessity determination process			
37		*	*	*
38	§3076: <u>§1127.</u> Medical necessity review organization operational requirements			
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40	§3077: <u>§1128.</u> Procedures for making medical necessity determinations			
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50	§3082: <u>§1133.</u> Standard external review			
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52	§3083: <u>§1134.</u> Expedited appeals			
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54	§3084: <u>§1135.</u> Expedited external review			
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56	§3085: <u>§1136.</u> Binding nature of external review decisions			
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9	~~§231.~~ <u>§1201.</u> Legislative findings; purpose; short title			
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14		*	*	*
15	~~§234.~~ <u>§1204.</u> Board of directors			
16		*	*	*
17	~~§235.~~ <u>§1205.</u> Plan of operation			
18		*	*	*
19	~~§236.~~ <u>§1206.</u> Powers and duties of the plan			
20		*	*	*
21	~~§237.~~ <u>§1207.</u> Eligibility			
22		*	*	*
23	~~§238.~~ <u>§1208.</u> Administration			
24		*	*	*
25	~~§239.~~ <u>§1209.</u> Service charges			
26		*	*	*
27	~~§239.1.~~ <u>§1210.</u> Fees assessed to participating health insurers for plan losses attributable to			
28	federally defined eligible individuals			
29		*	*	*
30	~~§239.2.~~ <u>§1211.</u> Powers and duties of the commissioner			
31		*	*	*
32	~~§239.3.~~ <u>§1212.</u> Miscellaneous provisions			
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34	~~§240.~~ <u>§1213.</u> Benefits; availability			
35		*	*	*
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50	~~§1450.23.~~ <u>§1233.</u> Documentation			
51		*	*	*
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53	~~§3101.~~ <u>§1241.</u> Creation of the Louisiana Safety Net Health Insurance Program			
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56		*	*	*
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2 * * *

3 ~~§3104.~~ **§1245.** Plan of operation

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5 ~~§3105.~~ **§1246.** Producer requirements

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7 ~~§3106.~~ **§1247.** Form of policy; delivery; cancellation

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9 ~~§3107.~~ **§1248.** File and use of policy forms

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11 ~~§3108.~~ **§1249.** Minimal benefit hospital and medical policy provisions

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13 ~~§3109.~~ **§1250.** Construction of policy

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15 ~~§3110.~~ **§1251.** Statutory construction; relationship to other laws

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17 ~~§3111.~~ **§1252.** Scope and limitation

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19 **PART IV. Property and Casualty**

20 **Subpart A. Insurance and Contract Requirements in General**

21 ~~§635.~~ **§1261.** Renewal of policy; increase in premiums prohibited

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23 ~~§639.~~ **§1262.** Annulment of liability policies

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26 coverage

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28 ~~§682.~~ **§1264.** Presumption of coverage

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30 ~~§636.2.~~ **§1265.** Property, casualty, and liability insurance policies; cancellation and
31 nonrenewal provisions; nonrenewal for rate inadequacy; certain
32 prohibitions

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34 ~~§636.1.~~ **§1266.** Automobile, property, casualty, and liability insurance policies;
35 cancellations

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37 ~~§636.4.~~ **§1267.** Commercial insurance; cancellation and renewal

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39 ~~§637.1.~~ **§1268.** Interest on refund; exception

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42 service of citation or other process; direct action against insurer

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46 ~~§1478.~~ **§1271.** Identification of property upon which premium is due

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48 **Subpart B. Vehicle**

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53 ~~§622.3.~~ **§1283.** Proof of motorcycle endorsement

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57 ~~§635.1.~~ **§1285.** Automobile insurance policies; refusal to issue or renew; age discrimination

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40	damage mitigation			
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49	insurer; effects of redomestication			
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55		*	*	*
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49		*	*	*
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51		*	*	*
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53		*	*	*
54	~~§1134.~~ <u>§1544.</u> Exceptions to licensing; prohibitions			
55		*	*	*
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2	~~§1137.~~ <u>§1547.</u> License			
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6	~~§1138.1.~~ <u>§1549.</u> Specialty limited lines credit insurance			
7		*	*	*
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11		*	*	*
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13		*	*	*
14	~~§1141.~~ <u>§1553.</u> Temporary licensing			
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17		*	*	*
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20	~~§1142.1.~~ <u>§1556.</u> License to solicit or transact bail; prohibited activities			
21		*	*	*
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26	~~§1145.~~ <u>§1559.</u> Notification to commissioner of termination			
27		*	*	*
28	~~§1146.~~ <u>§1560.</u> Reciprocity			
29		*	*	*
30	~~§1147.~~ <u>§1561.</u> Non-reciprocal states or other jurisdictions			
31		*	*	*
32	~~§1148.~~ <u>§1562.</u> Prohibited acts			
33		*	*	*
34	~~§1149.~~ <u>§1563.</u> Reporting of actions			
35		*	*	*
36	~~§1150.~~ <u>§1564.</u> Producers of records			
37		*	*	*
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42		*	*	*
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49		*	*	*
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51		*	*	*
52	~~§1514.2.~~ <u>§1583.</u> Licensing and fees			
53		*	*	*
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- 3 ~~§3038.~~ **§1648.** Administrator; compensation
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- 5 ~~§3039.~~ **§1649.** Notice to covered individuals; disclosure of charges and fees
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- 9 ~~§3041.~~ **§1651.** Licensure required
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- 13 ~~§3043.~~ **§1653.** Annual report; filing fee
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- 15 ~~§3044.~~ **§1654.** Grounds for suspension or revocation of license
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- 17 ~~§3045.~~ **§1655.** Rules and regulations
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- 19 ~~§3046.~~ **§1656.** Confidentiality; documents, information
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- 26 ~~§1210.73.~~ **§1663.** License required
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- 38 ~~§1210.79.~~ **§1669.** Exemptions from examination
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- 40 ~~§1210.80.~~ **§1670.** Nonresident claims adjuster license reciprocity
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- 44 ~~§1210.82.~~ **§1672.** License denial, nonrenewal, or revocation
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- 46 ~~§1210.83.~~ **§1673.** Continuing education
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- 48 ~~§1210.84.~~ **§1674.** Standards of conduct
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- 50 ~~§1453.~~ **§1675.** Payments to adjusters limited; reciprocal fee; disposition of funds
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- 52 ~~§1210.85.~~ **§1676.** Referral by insurer
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5	~~§1210.93.~~ <u>§1693.</u> License required			
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7	~~§1210.94.~~ <u>§1694.</u> Application for license			
8		*	*	*
9	~~§1210.95.~~ <u>§1695.</u> Resident license			
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11	~~§1210.96.~~ <u>§1696.</u> Examination			
12		*	*	*
13	~~§1210.97.~~ <u>§1697.</u> Exemptions from examination			
14		*	*	*
15	~~§1210.98.~~ <u>§1698.</u> Nonresident license reciprocity			
16		*	*	*
17	~~§1210.99.~~ <u>§1699.</u> License			
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31	~~§1210.106.~~ <u>§1706.</u> Standards of conduct of public adjuster			
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51	~~§1210.26.~~ <u>§1727.</u> Required contract provisions for reinsurance intermediary-managers			
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15	~~§1210.55.~~ <u>§1745.</u> Employee benefit plans			
16		*	*	*
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19	~~§1210.57.~~ <u>§1747.</u> Licensure			
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21	~~§1210.58.~~ <u>§1748.</u> Registration			
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36	~~§2104.~~ <u>§1764.</u> License requirements			
37		*	*	*
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39		*	*	*
40	~~§2106.~~ <u>§1766.</u> Authorized employees			
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1	~~§1441.12.~~ <u>§2333.</u> Immunity from liability			
2		*	*	*
3	~~§1441.13.~~ <u>§2334.</u> Annual report			
4		*	*	*
5	~~§1441.14.~~ <u>§2335.</u> Examination of plan			
6		*	*	*
7	~~§1441.15.~~ <u>§2336.</u> Louisiana Joint Reinsurance Plan (FAIR Plan); definitions			
8		*	*	*
9	~~§1441.16.~~ <u>§2337.</u> Louisiana Joint Reinsurance Plan; immunity from liability; commissioner			
10	of insurance			
11		*	*	*
12	~~§1441.17.~~ <u>§2338.</u> Powers and duties of the governing committee			
13		*	*	*
14	~~§1441.18.~~ <u>§2339.</u> Board of directors of plan			
15		*	*	*
16	~~§1441.19.~~ <u>§2340.</u> Functions of participants in the plan			
17		*	*	*
18	~~§1441.20.~~ <u>§2341.</u> Plan			
19		*	*	*
20	~~§1441.21.~~ <u>§2342.</u> Eligibility; application			
21		*	*	*
22	~~§1441.22.~~ <u>§2343.</u> Plan participants shall cede insurance			
23		*	*	*
24	~~§1441.23.~~ <u>§2344.</u> Rates, rating plans, and rate rules applicable			
25		*	*	*
26	~~§1441.24.~~ <u>§2345.</u> Reports of inspection			
27		*	*	*
28	~~§1441.25.~~ <u>§2346.</u> Annual report			
29		*	*	*
30	~~§1441.26.~~ <u>§2347.</u> Examination of plan			
31		*	*	*

CHAPTER 16. Insure Louisiana Incentive Program**PART I. Insure Louisiana Incentive Program**

32				
33				
34	~~§3301.~~ <u>§2361.</u> Short title [3301]			
35		*	*	*
36	~~§3302.~~ <u>§2362.</u> Purposes; public purposes			
37		*	*	*
38	~~§3303.~~ <u>§2363.</u> Cooperative endeavors; grants; regulations			
39		*	*	*
40	~~§3304.~~ <u>§2364.</u> Implementation; grant limitations			
41		*	*	*
42	~~§3305.~~ <u>§2365.</u> Minimum capital requirements			
43		*	*	*
44	~~§3306.~~ <u>§2366.</u> Satisfactory prior experience			
45		*	*	*
46	~~§3307.~~ <u>§2367.</u> Authorized insurers			
47		*	*	*
48	~~§3308.~~ <u>§2368.</u> Matching capital fund grants			
49		*	*	*
50	~~§3309.~~ <u>§2369.</u> Net written premium requirements			
51		*	*	*
52	~~§3310.~~ <u>§2370.</u> Earned capital			
53		*	*	*
54	~~§3311.~~ <u>§2371.</u> Insure Louisiana Incentive Program Fund			
55		*	*	*

Section 2. The Louisiana State Law Institute is hereby directed to change any citations, Chapters, Parts, Subparts, or other references contained in the current provisions of Title 22 of the Louisiana Revised Statutes of 1950 or in any other Title or Code of the

1 Revised Statutes to reflect the new citations, Chapters, Parts, Subparts, or other references
2 found in this Act.
3 Section 3. This Act shall become effective on January 1, 2009.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____